

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA

v.

**Civil No. 1:16-cv-260-HSO
Criminal No. 1:12cr34-HSO-JCG-1**

BENJAMIN JOSEPH CASPER, III

CERTIFICATE OF APPEALABILITY

A final order adverse to the applicant having been filed in the captioned habeas corpus case, in which the detention complained of arises out of a proceeding pursuant to 28 U.S.C. § 2255, the Court, considering the record in this case and the requirements of 28 U.S.C. § 2253, Rule 22(b) of the Federal Rules of Appellate Procedure, and Rule 11(a) of the Rules Governing Section 2255 Proceedings for the United States District Courts, hereby finds that:

A Certificate of Appealability should not issue in this case. The applicant has failed to make a substantial showing of the denial of a constitutional right.

Date: May 18, 2017

s/ Halil Suleyman Ozerden
HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE